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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,686	09/25/2003	Yuichi Kawaguchi	2003_1314A	4427

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WENDEROTH, LIND & PONACK L.L.P.
2033 K. STREET, NW
SUITE 800
WASHINGTON, DC 20006

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 06/09/2008

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10669686	9/25/2003	KAWAGUCHI ET AL.	2003_1314A

WENDEROTH, LIND & PONACK L.L.P.
2033 K. STREET, NW
SUITE 800
WASHINGTON, DC 20006

EXAMINER

KAREN C. TANG

ART UNIT	PAPER
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2151

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This communication is responsive to the amendment filed on March 18, 2008. Newly submitted claims 12-24 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Group II, Claims 12-24 have separate utility from Group I, claims 1-11 because of "A resource management server for managing resources for a plurality of electronic equipment classified into groups according to functions of the plurality of electronic equipment, the resource management server comprising: at least one processor; and a memory, wherein the at least one processor executes resource management functions including: a storing function of storing first group information and reservation status information, the first group information defining a group to which a function of a first electronic equipment connected to a transmission apparatus belongs, the reservation status information including information with respect to an available bandwidth for connection to the transmission apparatus; a receiving function of receiving second group information and resource reservation-requesting information from a second electronic equipment newly connected to the transmission apparatus, the second group information defining a group to which a function of the second electronic equipment belongs, the resource reservation-requesting information including information with respect to a bandwidth requested by the second electronic equipment; a group-judging function of judging, based on the first group information and the second group information, whether or not the second electronic equipment belongs to the same group as the first electronic equipment when the receiving function receives the second group information; and a path-judging function of judging, based on the reservation status information and the resource reservation-requesting information, whether or not a communication path between the first electronic equipment and the second electronic equipment is available when the group-judging function judges that the second electronic equipment belongs to the same group as the first electronic equipment"

Because these inventions are distinct and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper. The search for the invention of Group II would require considering class 709, subclass 226, while the search for the invention of Group I would not.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 12-24 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Since applicant has canceled all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE. A shortened statutory period for reply to this Election/Restrictions action is set to expire ONE MONTH from the mailing date of this action

/John Follansbee/
Supervisory Patent Examiner, Art Unit 2151

PTO-90C (Rev.04-03)